



Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

## GENERAL PLAN REPORT

### 2003 Spring Hearing

Hearing Date/Agenda Number:  
P.C. 03/17/03      Item: 3h

File Number:  
GP03-07-02

Council District and SNI Area:  
7 – N/A

Major Thoroughfares Map Number:  
100

Assessor's Parcel Number(s):  
497-27-016

Project Manager: David Tymn

#### PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Low Density Residential (8 DU/AC) to Neighborhood/Community Commercial on 0.4 acres.

**LOCATION:** West side of Senter Road, approximately 350 feet southerly of Lewis Road

**ACREAGE:** 0.4

#### APPLICANT/OWNER:

Sal Caruso/Hung Nguyen

#### GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Medium Low Density Residential (8 DU/AC)

Proposed Designation: Neighborhood/Community Commercial

**EXISTING ZONING DISTRICT(S):** CP Pedestrian Commercial

#### SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Restaurant and Service Related Commercial – Medium Low Density Residential (8 DU/AC)

South: Single-family Residential – Medium Low Density Residential (8 DU/AC),

East: Single-family Residential and Church Use – Medium Low Density Residential (8 DU/AC) and Public/Quasi-Public

West: Single-family Residential – Medium Low Density Residential (8 DU/AC)

#### ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration adopted on February 18, 2003.

#### PLANNING STAFF RECOMMENDATION:

Neighborhood/Community Commercial on the expanded 2.0 acre site.

Approved by:  
Date:

#### PLANNING COMMISSION RECOMMENDATION:

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**CITY COUNCIL ACTION:**

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**CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:**

- Department of Transportation – The proposed land use change will not result in a long-term traffic impact.
- Department of Public Works – The site is not in a Flood Zone, Geologic Hazard Zone, or Landslide zone. It has adequate storm and sanitary sewer capacity. The site has no major access constraints.
- Valley Transportation Agency – VTA indicated that they had no comment on this amendment.

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**GENERAL CORRESPONDENCE:**

None received.

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**ANALYSIS AND RECOMMENDATIONS:**

**PROJECT DESCRIPTION**

This is a privately initiated General Plan amendment to change the *San Jose 2020 General Plan* Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to Neighborhood/Community Commercial on a 0.4-acre site located on the west side of Senter Road, approximately 350 feet southerly of Lewis Road.

The existing General Plan designation for this property is Medium Low Density Residential (8 DU/AC). This density is typified by 6,000 square foot lots characteristic of many residential neighborhoods, and is the density at which the majority of San Jose's single-family housing has been built.

The proposed Neighborhood/Community Commercial land use designation is typified by neighborhood serving retail and service establishments. The applicant is proposing the amendment to provide incentive for reuse of the property in the future.

As discussed below, staff is recommending that the boundaries of the site be expanded to include the three adjacent parcels to the north. This would increase the size of the amendment area to 2.0 acres.

**BACKGROUND**

**Site and Surrounding Uses**

The subject site is vacant. Access to the property is from Senter Road, which is an arterial street. The site is surrounded by a variety of uses: a restaurant, another vacant lot which is being used for restaurant parking and a glass/ mirror shop to the north; single-family houses and a church to the east across Senter Road; and single-family residential homes to the south and west.

## **ANALYSIS**

### **Land Use Compatibility**

The existing General Plan designation of Low Density Residential (8 DU/AC) is not reflective of the existing commercial nature of these parcels on Senter Road. The proposed Neighborhood/Community Commercial designation is compatible with the existing land uses. Senter Road is a heavily traveled four-lane arterial road. Future ingress and egress to the subject site would be from Senter Road. Project specific site design at the rezoning and development review stage should address potential interface issues related to the existing single-family homes to the south and west.

Staff is supportive of a change to the land use designation for the subject property from Medium Low Density Residential (8 DU/AC) to Neighborhood/Community Commercial. Staff is proposing further that the three adjacent parcels to the north also be designated Neighborhood/Community Commercial. These properties have existing commercial uses and are also designated Medium Low Density Residential (8 DU/AC). This would facilitate future reuse of the vacant parcel to reflect the adjacent existing uses, and encourage consolidation of the commercial properties.

### **Policy Consistency**

The change in Land Use/Transportation Diagram would reinforce several of the General Plan's Major Strategies, including Economic Development and Growth Management. The Economic Development Major Strategy encourages more commercial and industrial growth to balance existing residential development. The proposed change to Neighborhood/Community Commercial would add jobs within the City and work towards creating a jobs/housing balance. Additionally, the proposed change could facilitate future development on infill parcels, which is consistent with the Growth Management Major Strategy.

Furthermore, the change in land use designation would be consistent with several of the General Plan's Goals and Policies, as follows:

- Commercial Land Use Policy #2, which states that new commercial uses should be located in established commercial areas. A change to Neighborhood/Community Commercial would reinforce the existing commercial character of this section of Senter Road.
- Commercial Land Use Policy #5, which states commercial development should be allowed within established residential neighborhoods only when such development is compatible with residential development and is primarily neighborhood serving. The proposed Neighborhood/Community Commercial designation would be compatible with the existing residential neighborhood and the established commercial uses on Senter Road. Given the size of the site and the existing uses surrounding the site, neighborhood serving commercial would be appropriate for future development.
- Commercial Land Use Policy #8, which states that proposals to convert residential properties along major streets to commercial should be approved only when there is a substantial non-residential character to the area and where satisfactory parking and site design can be demonstrated. The subject site would clearly be better developed for commercial uses given the existing commercial uses on Senter Road. Parking and sign design issues would be reviewed at the development review stage, and

staff believes these issues can be resolved at the development stage (particularly if the parcels are assembled together).

## **ENVIRONMENTAL**

The proposed change in the General Plan land use designation on the subject site was analyzed in an initial study that resulted in a Mitigated Negative Declaration. The Negative Declaration was prepared and circulated to the public for review and comment. The initial study determined that the change in land use would create a less than significant impact with mitigation measures that are based on General Plan policies such as Commercial Land Use Policy, Urban Design Policy, and Soils and Geologic Conditions Policy, in the following categories:

- Aesthetics
- Geology and soils

## **PUBLIC OUTREACH**

The property owners and occupants within a 1,000-foot radius were sent a newsletter regarding the two community meetings that were held on February 24 and 26, 2002. They also received a notice of the mitigated negative Declaration and a notice of the public hearings to be held on the subject amendment before the Planning Commission in March and City Council in April. In addition, the Department's web-site contains information regarding the General Plan process, amendments, staff reports, and hearing schedule. This site is available to any member of the public and contains the most current information regarding the status of the amendments.

In various telephone conversations, approximately four community members called and expressed support for the amendment.

## **RECOMMENDATION**

Planning staff recommends approval of the applicant's proposal for a change to the General Plan Land Use designation from Medium Low Density (8 DU/AC) to Neighborhood/Community Commercial on the subject 0.4 acre site and recommends that the Neighborhood/Community Commercial designation be expanded to cover additional three adjacent parcels to the north (APN 497-27-013, 014, 015) for a total of 2.0 acres

### **Attachments**

PBCE002/GP\_Team/2003Annual Review/Staff Reports/Spring Review/GP03-07-02.sr.doc